

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
echols 5

In Re Application Of: Echols, et al.

Serial No.  
10/688,539

Filing Date  
10/17/2003

Examiner  
TBD

Group Art Unit  
1615

Title: **THREE LAYER ARTIFICIAL TEAR FORMULATION**

Address to:

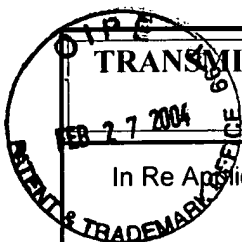
Assistant Commissioner for Patents  
Washington, D.C. 20231

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).



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**THREE LAYER ARTIFICIAL TEAR FORMULATION**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☐ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.

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**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited February 23, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Signature of Person Mailing Correspondence

Donita King

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

  
Signature

Dated: February 19, 2004

Kenneth M. Bush

Reg. No. 40,544

Bush Intellectual Property Law Group, LLC

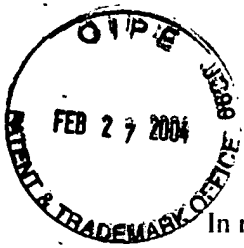
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CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of )

Echols, et al. )

For: THREE LAYER ARTIFICIAL )  
TEAR FORMULATION )

Serial No. 10/688,539 )

Filed: October 17, 2003 )

Examiner: Not assigned

Group Art Unit: 1615

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Bush Intellectual Property Law Group, LLC  
P.O. Box 381146  
Birmingham, AL 35238

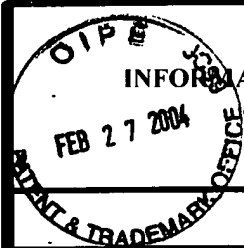
Dear Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, the following may be considered relevant in determining whether the above designated patent application is patentable:

<u>Patent No.</u>	<u>Patentee</u>	<u>Issue Date</u>
4883658	Holly	11/28/1989
4744980	Holly	5/17/1988
4914088	Glonek et al.	4/3/1990
4421748	Trager et al.	12/20/1983
5221696	Ke et al.	6/22/1993
5290572	MacKeen	3/1/1994
5800807	Hu et al.	9/1/1998
6429227	Schneider et al.	8/6/2002
6565861	Tiffany et al.	5/20/2003

Respectfully submitted,

Kenneth M. Bush  
Attorney for Applicant  
Reg. No. 40,544  
Phone: 205.972.0145



## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

echols 5

Application Number

10/688,539

Applicant(s)

Echols, et al.

Filing Date

10/17/2003

Group Art Unit

1615

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4883658	11/28/1989	Holly			
		4744980	5/17/1988	Holly			
		4914088	4/3/1990	Glonck et al.			
		4421748	12/20/1983	Trager et al.			
		5221696	6/22/1993	Ke et al.			
		5290572	3/1/1994	MacKeen			
		5800807	9/1/1998	Hu et al.			
		6429227	8/6/2002	Schneider et al.			
		6565861	5/20/2003	Tiffany et al.			

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.